

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Paul R Castner
Debtor(s)

Bankruptcy Case No.: 18-21827-GLT
Issued Per 8/6/2020 Proceeding
Chapter: 13
Docket No.: 63 – 48, 62
Concil. Conf.: August 6, 2020 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 6, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,967.00 as of August, 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 84 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 6, 2020 at 02:00 PM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 2 of Fifth Third Bank as pay in full and Claim No. 17 of New Penn Financial .
- ☒ H. Additional Terms: Attorney Fees are based on a retainer of \$1,550.00.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

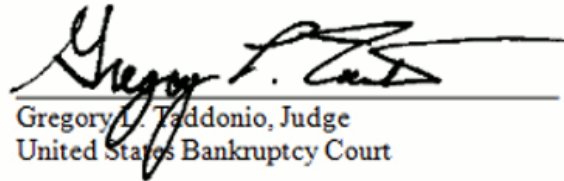
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: August 11, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Paul R Castner
 Debtor

Case No. 18-21827-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 37

Date Rcvd: Aug 11, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 13, 2020.

db +Paul R Castner, 243 Burch Dr., Coraopolis, PA 15108-3113
 cr +NewRez LLC d/b/a Shellpoint Mortgage Servicing, NewRez LLC DBA Shellpoint Mortgage Servi,
 P.O. Box 10826, GREENVILLE, SC 29603-0826
 14870779 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14827372 +Citibank/The Home Depot, Centralized Bankruptcy, PO Box 790034, St Louis, MO 63179-0034
 14827377 +Ditech, Attn: Bankruptcy, PO Box 6172, Rapid City, SD 57709-6172
 14880435 Ditech Financial LLC, P.O. Box 6154, Rapid City, SD 57709-6154
 14850589 +Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
 14827379 +First National Bank, Attn: Tina, 1620 Dodge St Mailstop 4440, Omaha, NE 68197-0002
 14863528 +KeyBank, N.A. as SBM to First Niagara Bank, N.A., 4910 Tiedeman Rd.,
 Brooklyn, OH 44144-2338
 14831643 ++PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
 (address filed with court: First National Bank of Omaha, 1620 Dodge Street, Stop code 3105,
 Omaha, NE 68197)
 14904723 Shellpoint Mortgage Servicing, P.O. Box 10675, Greenville, SC 29603-0675

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14878727 E-mail/PDF: resurgentbknnotifications@resurgent.com Aug 12 2020 04:43:31
 CVI SGP-CO Acquisition Trust C/O Resurgent Capital, P.O. Box 10675,
 Greenville, SC 29603-0675
 14827371 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 12 2020 04:32:54 Capital One,
 Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
 14827373 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 12 2020 04:30:42
 Comenity Bank/Victoria Secret, Attn: Bankruptcy Dept, PO Box 182125,
 Columbus, OH 43218-2125
 14827374 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 12 2020 04:30:43 Comenity Capital/mpcr,
 Attn: Bankruptcy Dept, PO Box 182125, Columbus, OH 43218-2125
 14827375 +E-mail/Text: bankruptcy_notifications@ccsusa.com Aug 12 2020 04:31:51
 Credit Collections Services, Attention: Bankruptcy, 725 Canton Street,
 Norwood, MA 02062-2679
 14827376 +E-mail/Text: ccusa@ccuhome.com Aug 12 2020 04:30:20 Credit Collections USA, LLC,
 16 Distributor Drive, Suite 1, Morgantown, WV 26501-7209
 14879687 +E-mail/Text: kburkley@bernsteinlaw.com Aug 12 2020 04:31:48 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14827378 +E-mail/Text: collectionbankruptcies.bancorp@53.com Aug 12 2020 04:31:39 Fifth Third Bank,
 Attn: Bankruptcy Department, 1830 E Paris Ave Se, Grand Rapids, MI 49546-8803
 14827380 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 12 2020 04:30:43 Kay Jewelers,
 Attn: Bankruptcy, PO Box 1799, Akron, OH 44309-1799
 14827381 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Aug 12 2020 04:31:24 Keybank Na,
 4910 Tiedman Road, Brooklyn, OH 44144-2338
 14827382 +E-mail/Text: PBNCNotifications@peritussservices.com Aug 12 2020 04:30:30 Kohls/Capital One,
 Kohls Credit, PO Box 3120, Milwaukee, WI 53201-3120
 14879696 E-mail/PDF: resurgentbknnotifications@resurgent.com Aug 12 2020 04:43:46
 LVNV Funding, LLC its successors and assigns as, assignee of NCOP Capital III, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14875078 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 12 2020 04:31:11 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 14879668 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 12 2020 04:43:58
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14827678 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 12 2020 04:43:28
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14870318 E-mail/Text: bnc-quantum@quantum3group.com Aug 12 2020 04:30:48
 Quantum3 Group LLC as agent for, MOMA Trust LLC, PO Box 788, Kirkland, WA 98083-0788
 14876243 E-mail/Text: bnc-quantum@quantum3group.com Aug 12 2020 04:30:48
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 14869323 E-mail/Text: bnc-quantum@quantum3group.com Aug 12 2020 04:30:48
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14880377 +E-mail/Text: bncmail@w-legal.com Aug 12 2020 04:31:22 SYNCHRONY BANK / Paypal Credit,
 c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
 14879666 +E-mail/PDF: gecsedirecoverycorp.com Aug 12 2020 04:32:49 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 14827383 +E-mail/PDF: gecsedirecoverycorp.com Aug 12 2020 04:32:48 Synchrony Bank/ Old Navy,
 Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060
 14827384 +E-mail/PDF: gecsedirecoverycorp.com Aug 12 2020 04:32:09 Synchrony Bank/Care Credit,
 Attn: Bankruptcy Dept, PO Box 965061, Orlando, FL 32896-5061
 14827385 +E-mail/PDF: gecsedirecoverycorp.com Aug 12 2020 04:32:48 Synchrony Bank/Lowes,
 Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060
 14827386 +E-mail/PDF: gecsedirecoverycorp.com Aug 12 2020 04:32:10 Synchrony Bank/Mens Wearhouse,
 Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060
 14827387 +E-mail/Text: wfmelectronicbankruptcyntifications@verizonwireless.com Aug 12 2020 04:30:18
 Verizon, Verizon Wireless Bk Admin, 500 Technology Dr Ste 550,
 Weldon Springs, MO 63304-2225

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 37

Date Rcvd: Aug 11, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14873413 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 12 2020 04:44:04 Verizon,
by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
TOTAL: 26

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr DITECH FINANCIAL LLC
cr KeyBank, N.A.
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr* Shellpoint Mortgage Servicing, P.O. Box 10675, Greenville, SC 29603-0675
TOTALS: 2, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 13, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 11, 2020 at the address(es) listed below:

Garry Alan Masterson on behalf of Creditor KeyBank, N.A. pitecf@weltman.com
James Warmbrodt on behalf of Creditor DITECH FINANCIAL LLC bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Louis R. Pomerico on behalf of Debtor Paul R Castner info@pomericolaw.com,
pmcarr1920@outlook.com;loupom@aol.com;r50803@notify.bestcase.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6